FOR MYSORE STATE

Revenue (1953) Department.

Ms. SERIES.

G.O. NO. 2166 Revenue

Dated 27.7.53.

[Despatch Abstract.]

Land. (S. Kanara) - Mangalore Taluk and Town. - T.S. 291/1 - Placed at the disposal of the Municipal Council, Mangalore for park and recreation ground

84

REVENUE DEPARTMENT
Subject

LAND - Land Revenue - (South Kanara) - Mangalore taluk and town - Attavara village - T.S.No.291/1 - Resumption and grant in favour of the Municipal Council, Mangalore for park and recreation ground - Recommended.

S2711P

Ref.No.E.3494/53-1.

Station:-Madras. Dated 16th June 1953.

From

Sri W.R.S.Sattianathan, I.C.S.,
Commissioner of Land Revenue.

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Sri C.S.Krishnamoorthy, I.A.S.,
Secretary, Board of Revenue, Madras.

Read:- G.O.Ms.No.2518, Revenue, dated 9-9-1952.
From the Collector of South Kanara, Ref.25399/52-B3, dated 19-5-53.

REFERENCE:

Submitted to the Government.

2. The Board recommends the resumption of the plot of land in T.S.No.291/1 of Attavara village, Mangalore taluk which was alienated in favour of the Mangalore Municipal Council in G.O.Ms. No.3003, Revenue, dated 23-11-1938 for the construction of a townhall.

3. The Board recommends the grant of land comprised in T.S.No.291/1 measuring Acre (1-40) of Attavara Village, Mangalore taluk in favour of the Municipal Council, Mangalore for use as the site of a public park and recreation ground.

4. The grant will be free of charge for the occupancy right and free of ground rent but subject to the following conditions:

(1) the land shall be used as the site of a public park and recreation ground and for no other purpose, as suggested by the Director of Town Planning, Madras, in B.P.144/49.

(2) The park and recreation ground shall be laid out as detailed in B.P.144/49 of the Director of Town Planning, Madras within a period of two years from the date of the grant.

(3) No building shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) If there are buildings so constructed with permission, compensation shall be payable as usual.

(6) If buildings, are constructed in violation of condition (3) the land with the buildings shall be resumed without any compensation whatsoever.

(7) The park and recreation ground shall be open to members of all communities.

p.t.o.

(8) ~~(3)~~ The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any any improvements that may have been effected, or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refused to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(9) ~~(4)~~ The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption, or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees, shall in no case exceed the amount paid for them by the (5) grantee or their value at the ~~xxxx~~ time of resumption or acquisition whichever may be less, and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be ~~xx~~ deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant, of the value of the land at the time of relinquishment, whichever may be less.

(11) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

P.t.o.

(12) The Government reserve to themselves the right to all (8) sandal-wood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut (c) or removed without the permission of the Collector of the district.

(13) The alienee shall take all reasonable measure to the satisfaction of the Collector of the district for the protection of the sandal-wood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(14) The alienee shall take the steps to see that the marks made by the officers of the Government on the sandal-wood trees are preserved and are not tampered with; and

(15) In the event of the infringement of, or failure to observe any of the conditions (12) to (14), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

for Secretary.

To The Secretary to Government, Revenue Department, Madras
(with a copy of Collector's letter d/19-5-53 with alienation statements and sketch.

PVV.17.6.

4

Ref. 25399/52.B3. SOUTH KANARA COLLECTOR' OFFICE,
Mangalore, dated 19- 5- 1953.

From

Sri. A. Mahalingam Chettiar, B.A.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue, Chepauk, Madras-5.

(In duplicate)

3494

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Sir,

Sub:- ALIENATION - Land and Land Revenue - South Kanara - Mangalore Taluk and Town - Attavar village - T.S.No.291/1- Resumption and realination - For recretation purposes - In favour of Mangalore Municipal Council - Proposals- submitted.

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1004 (F)

Ref:- 1) G.O.Ms.No.2518 Rev. dated 9-9-1952.
2) B.P. Rt. 6423 dated 23-9-1952.

--;;Ooo;;--

In G.O.Ms.No.2518 Revenue dated 9-9-1952, the Government ordered that T.S.No.291/1 of Attavar village, Mangalore Taluk, measuring 1.40 acres which was alienated in favour of the Mangalore Municipality in G.O.No.Ms. ~~303~~ 3003 Revenue dated 23-11-1938 for Town Hall purpose, be resumed and realienated in favour of the Mangalore Municipality for use as the site of a public park and recreation ground. T.S.No.291/1 of Attavar village stands registered as dry (Ground Rent) in the Revenue accounts and measures 1.40 acres.

2. The plot is ~~ev~~ valued @ Rs.60.000/- per acre The value of S.No.291/1 comes to Rs. 88,200/- as the plot is to be used for recreation purposes, and as no substantial income will be derived from the plot, I recommend that T.S. No.291/1 of Attavar village may be realienated in favour of the Mangalore Municipality free of site value. Similarly land revenue in respect of the plot may also be alienated. The capitalised value of land revenue to be foregone is Rs. 414-1-0.

3. The plot is devoid of any improvements except the foundation for a Town Hall laid on 17-3-1953 by the then Governor of Madras. The value of this structure is estimated to be Rs. 75/-

4. A notice inviting objections to the proposed alienation was published in the village. No objections have been received.

5. In this case though the plot is situated within the limits of Mangalore Town, there is no need toconsult the Heads of Departments as the plot once stood alienated in favour of the Mangalore Municipality and to whom the plot is now proposed to be alienated.

6. In this office Ref.25399/52-B3 dated 3-2-1953 the conditionsof alienation in respect of the plot were notified to the Mangalore Municipality. In its valuation Resn No.488 dated 28-3-1953, the Municipality agreed to abide by those condition of alienation.

P.T.O.

-2-

7. The following enclosures are submitted herewith.

1) Eyesketches in duplicate.
2) Adangal extracts
3) Application for the alienation of land in duplicate
4) Application for the alienation of land revenue.
5) Data for market value in duplicate.
6) Statement showing the value of improvements
7) Copy of conditions of alienation notified to the grantee in duplicate.
8) Copy of valuation No.488 dated 28-3-1953 of the Mangalore Municipality in duplicate.

Yours faithfully,

FOR COLLECTOR.

19-5-1953

6

Application for the alienation of land in which the proprietory right belongs to the state.

District: South Kanara.

Description of and area: T.S.No.291/1 measuring 1.47 acres in Attavar village.

Alienee and the purpose of alienation. | Mangalore Municipality. For the purpose of a public park and recreation ground.

Collector's remarks.

-True copy-

For Collector.

47

Application for the alienation of land revenue payable to the Government in respect of T.S.No.291/1 of Attavar village.

1.Description and area: T.S.No.291/1 measuring 1.47 acres in Attavar village A.W.Dry.

2.(a) Annual assessment: Rs.16-9-0 (ground rent at Rs.11-4-0 per acre)

(b) Capitalised at 4%. Rs.414-1-0

3.Alienee and the purpose of alienation. | Mangalore Municipality. For the purpose of public park and recreation ground.

4.Collector's remarks.

-True copy-

For Collector.

317

Land valuation statement for the plot T.S.No.291/1 of Attavar village:

Annual letting value of similar lands in the vicinity (estimated) per acre. Rs.2412-0-0

Deduct ground rent Rs.11-4-0

Net Rs.2400-12-0

Capitalised at 4% Rs.60018-12-0 ot Rs.60000 per acre

Market value of T.S.No.291/1 measuring 1.47 acres at Rs.60000/- per acre. Rs.88200-0-0

-True copy-

For Collector.

47

7

Statement showing the nature, age and value of buildings and all other improvements in T.S.No. 291/1 of Attavara

Value of the foundation stone for the Town Hall existing on T.S.No. 291/1 measuring 56 c.ft.of clay bricks in ~~mix~~ cement mortar.	I I I I I	Rs. 75/-

(True copy)

For Collector.

Extract from the Proceedings of the Mangalore Municipal Council dated 28.3.1953

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Read: E3. 8875/ 50 Ref.B3. 25399/52 dated 3.2.53 from the Collector of South Kanara requesting to send a copy of Council Resolution agreeing to abide by the conditions of alienation in respect of T.S.291/1 Attavar village originally alienated for Town Hall site and for the resumption and realienation of the same and Commissioners note thereon.

C.R.No.488:-

The Collector is requested to resume T.S.No.291/1 of Attavar village and to realienate the same to the Municipality for raising a garden. The council agrees to abide by the condition of alienation.

Regarding T.S.No.291/2A of Attavar village 22 acres 59 cents in extent the Collector is requested to approve the layout given in extent the Collector is requested to approve the layout given by the Director of Town Planning in B.P.No.144/49. The Collector may be requested to permit the Municipality to enter upon T.S.No. 291/1 to take necessary steps to raise a garden forthwith.

(True copy)

For Collector.

617

9 / Rev. Depn.

Pk Dossier
KB 27/7
25.7.53 Cf.

Read again : 1. G.O.Ms.No. 2518 Rev dt 5-9-52
Read also : ..... From the Bd of Rev. Ref. No. E. 3494/53-1 dt 16-6-53.

G.O.Ms.No. 2166 dated 27-7-53.

The Govt. place the land in T.S 291/1 measuring 1.47 acres of Attavara village, Mangalore Taluk and Town, South Kanara District at the disposal of the Municipal Council, Mangalore, for use as the site of a public park and recreation ground free of charge for the occupancy right And, free of ground rent but subject to the following conditions :-

(1) The land shall be used as the site of a public park and recreation ground and for no other purpose as suggested by the Director of Town Planning, Madras, in B.P. 144/49

(2) The park and recreation ground shall be laid out as detailed in B.P. 144/49 of the Director of Town Planning, Madras, within a period of two years from the date of the grant.

(3) No building shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) If there are buildings so constructed with permission, Compensation shall be payable as usual. — do —

(6) If buildings are constructed in violation of condition (3), the land with the buildings shall be resumed without any compensation whatsoever — do —

(7) The park and recreation ground shall be open to members of all communities — do —

(8) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(9) The Government may resume the land, wholly or in part with any buildings thereon, if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with the initial cost of the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government toward the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant of the value of the land at the time of relinquishment whichever may be less.

(11) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of ~~alienation~~ grant are infringed. In the latter case, the land revenue shall be levied from the date of ~~the~~ infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(12) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of ~~alienation~~ grant as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The ~~alienee~~ grantee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(13) The ~~alienee~~ grantee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

(14) The ~~alienee~~ grantee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(15) In the event of infringement of or failure to observe any of the conditions (12) to (14) the ~~alienee~~ grantee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the ~~alienee~~ grantee shall not be entitled to any compensation whatever.

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7.7.53

7.7.53

1.
① Head of Rev. (LA) ✓
② " Collr. of South Kanara. ✓
S.C.2.

2 item despatched
h
28.7.53.

Note.

L.A., R.W. And Finance may see before issue..

~~Circulation~~

h
7.7.53

7.7.53
DS 9.7.53

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
14 JUL 1953
D S

51498

L.A / R&W / Fin

O.N.
Why could this not reach me, yesterday - 8.7.53 !
h

9.7.53

SPECIAL ADMIN. STATION DEPT.
11 JUL 1958
SECRETARIAT, MADRAS

34699

Memo. 34699-53-1A
13-7-53

13/7

13/7

L.A Dept
9.7.53

Seen
18/7/53

F.Rev w 52711/53-1

5271(P/53

14

13/5

Rev. I

May we please have
passed on to Fin.

14.7.53

7/15/53

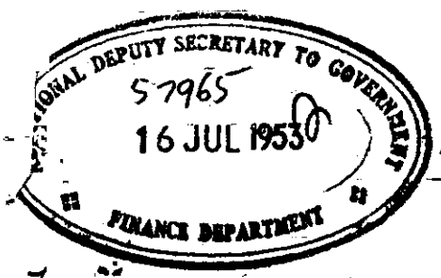
Fin

Welfare No
15149 Rev I/53-1
15.7.53.

Fin (Accts)

The draft order on pp 1-4
and may be accepted & the file
returned to Rev

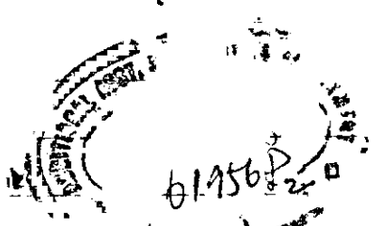
20.7.53 Rev.



Fin No 57965 Accts
21/7/53

Rev. Dept.

To As.



24/7

The draft order on pp 1-4
and may be issued

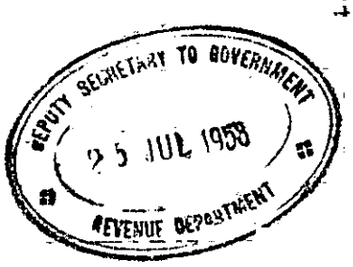
22/7/53

23.7.53

23.7.53

M. A. [illegible]

24/7 N (L.R.)



14

Revenue Department.

Mr. Narasappa, M.L.C. represents that alienation proposals were sent in respect of a Hockey ground in Mangalore Town to be handed over to the municipal council, Mangalore. It appears Mr. Sattianathan inspected the site some six months ago. Has the Board of Revenue submitted alienation proposals? Please put up the papers, and let me know the stage in which the file is very urgently.

28.7.53

D.S.

Legal P
28/7/53

To As.

Please see the note above. The M.L.C. is presumably referring to the proposal to place T.S. 291/1 of Attavara Village Mangalore Taluk at the disposal of the Municipal Council Mangalore for use as the site of a public park and recreation ground Orders have been issued in G.O.Ms. No. 2166 Rev. dated 27-7-53 sanctioning the above proposal. The recreation ground is perhaps the Hockey ground Hon. Narasappa spoke about

para 3, pol cpt (A)

pp 9-12 (A)

29/7/53

29/7/53

29.7.53

30/7/53

DEPUTY SECRETARY TO GOVERNMENT
30 JUL 1958
REVENUE DEPARTMENT